

Investigation Documentation –Terry Cooper 7/25/2016

Parties Involved:

Gregory Brooks, Trainee
Terry Cooper, CIP Dispatcher

Purpose of Investigation: Responding to trainees submission of sexual harassment compliant

Present in Meeting with Terry Cooper:

Eunice Gilmore, Associate Director, Human Resources
Elizabeth Hanson, Chief Compliance Officer
James Washington, Program Director, Gates
Salvatore Lopresti, Director of Fleet Services

On Friday, July 22, 2016, James Washington reached out to Eunice Gilmore, Kenise Etwaru, Craig Trotta and Elizabeth Hanson and provided us with a complaint that was submitted to him from Trainee - Gregory Brooks, against Gates Dispatcher, Terry Cooper. James Washington retrieved the envelope approximately 6:30am that morning. After reading the complaint, it was asked that Terry Cooper not report back to work until Monday, July 25th 2016.

We began the meeting by informing him that we brought him in to meet with us because we had received a complaint about him that needed to be investigated and that we would be asking him some questions.

What is your relationship with Gregory Brooks? Terry responded he's a client in the program, he's kind of new but I do not know him like that but so far there are no issues

What do you think your relationship is with him? My relationship is fine with him, I'm not in a relationship with him outside of him being a client.

Talk to us about your interactions when dealing with Gregory? I did last week sometime I've tried to help him with changing his schedule

Terry stated that after about a week or two, after field orientation, and working on the Hudson which Gregory had initially asked for - Gregory's Case Manager, Dashiell Porter came to Terry and stated that his client needed to change his current work schedule, and explained that if he could make the change so Gregory could see his kids on the weekends. Initially, although Gregory asked to work on the Hudson he was under the assumption he would have more flexibility and needed the weekend off to see his kids.

Sat/Sun specifically he needed to pick up his kids in the Bronx. Terry stated he would see what he could do.

Have you ever had any issues with Gregory? No, but he has stopped to mention to me, in passing about his schedule changing but recently like "Don't forget about me" Terry said he reassured him that he hadn't forgot about him and would try his best.

When was the last time you discussed the schedule with Gregory? He responded last Wednesday or Thursday? He couldn't quite remember exactly?

What do you remember about that interaction with Gregory? Again nothing specific really outside of Gregory reminding me and saying "Terry don't forget about me"

Eunice then asked Terry to walk through the last ?? that was referenced in the complaint (in respect to Thursday, July 21) with Gregory that involved any discussion around schedule changes.

Terry stated that Gregory came into Dispatch office and that Terry asked him "I thought you wanted to work on the Hudson" he said that he thought the schedule was flexible but it wasn't and that he needed to see his kids.

I asked Terry was there anyone else present when you were discussing these changes? Terry stated at the time there may have been another trainee in the office Robert Frage? (but he wasn't completely sure of the name)

Terry was asked after he discussed the possible schedule change with Gregory what happened? He said Gregory left and said he needed to get himself together. Terry reminded him I will see what I can do. He said Gregory thanked him and Terry responded to him *the way that you can thank me is to do the right thing?*

After Terry checked the schedule, he stated he realized there was a possible opening on the Vernon Blvd route as he saw the number was 8-10 wherein he may be able to get Gregory the weekends off.

Terry then went running upstairs to Gregory's room to confirm if he were unable to get both days or if he was unable to get one of the days off, which would he prefer Saturday or Sunday. Terry stated he asked him again are you sure?

Terry was asked why would he go upstairs to the rooms and he stated its easier and faster to get in touch with the trainees in regards to schedule changes etc He said he didn't remember why he went upstairs the first time but while he was up there he saw Gregory's door open so he stopped to talk to him. When he went up the second time he saw the client in the hallway/bathroom area in front of the mirror getting ready to shave he thinks.

Terry told Gregory that Vernon Blvd route, would possibly be the best route but he would have to finish out the Hudson route that would end this weekend. He would then be off on Sunday and start the new route on Sunday.

Terry stated that Gregory had mention to him within probably his first 2 weeks in the program perhaps? And stated that I want the Hudson and I heard that you are the one.

Terry stated this is not uncommon for the guys in the program to say that. Terry also stated that he makes the recommendations for the route/schedule changes and so he is known for that. He repeated that he is known around the building "to go see Terry for that". He added I like to place the men at the sites where they want to be because it helps you ensure that they will go to work and that we will have coverage.

He mentioned trying to change the route of Gregory and working on it either last Wednesday or Thursday. He was unsure but then **he was asked again what does he remember about the day in**

question July 21st? Was there anyone ever present when you spoke with Gregory about his possible work schedule changes?

Terry responded no there might have been a trainee when Brookes came in his office on that Thursday July 21st but he couldn't necessarily remember.

I then gave a Terry a copy of the complaint and asked that he take a look at it and talk to us about this.

He read over it pretty quickly and stated that "this is some bs" I don't know him or any of the clients like that everyone knows my door is open policy so if Gregory had a problem with him he should have said something to him directly. Like he doesn't know why if he offended him or if he had a problem in any way that he wouldn't say anything.

He added that he was a grown man and 50 years of age and that he is not going to grabbing some guys penis saying what's that?

Recap of Details regarding Terry's trips upstairs to Gregory's room

How many times did you go upstairs on July 21st? Terry responded twice

What was the second trip for? He stated he doesn't remember

He stated the first time I forgot exactly why I came up because but because I saw Gregory I wanted to ensure that this was the schedule you are going to get.

Terry said the door to the room was cracked open but not all the way open – said he knocked and thought Gregory was on the phone. Gregory came to the door and at some point he saw the phone on the bed. He saw the phone on the bed. He asked Gregory was he on the phone? He said yes and then Terry informed him again that I am doing what I can.

Terry then stated can I say something? We responded yes of course. If I am guilty of one thing - is that I bring laughter to the building. Yes, I'm loud! but everyone knows that I respect them and I take something like sexual harassment very seriously. Everyone knows I come in the morning and I wake people up with jokes.

Now have I been told to watch my hands? Yes

Do I have a habit of touching people when I talk? Yes but even with jokes if someone says "Hey Terry like look don't say that to me or don't joke around with me like that? I apologized and that won't ever happen again they don't have to worry about me because I'll be just like hi and bye from that point.

It was also asked if Terry ever been accused of anything like this in the past and he responded no. My notes say that Terry said that no client has ever accused him, either to him or to someone else, of doing anything like this (without being asked).

Meeting with Gregory Brooks

Present in Meeting

Eunice Gilmore, Associate Director, Human Resources

Elizabeth Hanson, Chief Compliance Officer

James Washington, Program Director, Gates

James Washington, introduced myself and Elizabeth to Gregory and he explained why we were here, we thanked him for coming forward and would like to proceed with some questions about his complaint and that while he submitted it in writing we wanted to hear from him directly.

Gregory starts off well "Listen the bottom line is all I wanted was off of Hudson Park and I need to be able to pick up my kids I asked him to change the schedule.

I got 2 felons, violent felonies and like nothing like this has ever happened to me before..... and I'm not afraid of anything but I thought after the incident in the office, my reaction at first was to react and then I said to myself I got to get this nigga on tape.

So after he did what he did in the office he said he will be up in 2 minutes so I got out my phone and camera -like somebody needs to believe me.

He knocked on the door so I pressed record on the camera and said come in?

He began touching me again

Like I don't like homosexuals and I don't like to be around them because of stuff like this.

Like my wife always says to me they alright but I feel like *let them be alright over there like stay over there with that.*

But look, NOW what I want is an apology, a written and notarized apology to TDF like to the company stating that you have violated the professional's code of ethics with all of the details of what you did so basically a full apology with all of the details.

He also added if Terry doesn't have all of the details written down that he would be speak to a lawyer and yes we are going through the court system.

Also to add, Gregory stated various dudes have talked about how long Terry has been getting away with this and that he has reports of this and it's on record.

Gregory stated every day he makes sexual comments to people I have a least 6 dudes on tape talking about it that I can let you hear. I mean after this happened I've been doing my own research I mean sexual harassment is unlawful touching, its sexual joking, sexual comments and through my own investigation I found out that he is also in a relationship with someone is here right now.

I also don't think Terry needs to be fired. He needs to resign so he can't get unemployment and I want him to go to a sex anonymous class or something. Like I did a lot of time in prison and this is a crime and I don't think this is something that is only work related. But yes I want a signed and notarized admission in full details and if it's not the entire truth then I'm not interested.

We then chimed in and asked could we ask some more questions he stated sure.

Where was your phone when you were in the room? Gregory stated it was on the bed, he actually said Terry came and picked up the phone and looked at? He said he was very surprised that Terry did not notice that the phone was on and recording. We asked could we hear the recording he said it's nothing sexual. I responded that we would still like to hear what was said that? He stated that he had it recorded on camera as well. He stated that he didn't think he had actually recorded it because his camera was a 16.1 bit camera and that the microphone don't work that well but to his surprise it actually recorded it after he checked.

Gregory then plays the recording

RECORDING PLAYS

Terry knocks on the door, Gregory opens the door

Terry: asked why was it locked

Gregory: I always lock my door

Terry comes in and closes the door behind him

Gregory: So what's up Terry

Terry: It may not be Saturday & Sunday, like I may not give you both but maybe Sunday/Monday or Friday/Saturday. But again it may not be up to me, I'm going to take you off the Hudson if you are serious but once I set it up that's it.

There was some silence, and muffled sounds, Elizabeth, Eunice and James couldn't quite make it out and then you hear Terry states I like those sneakers and then the tape cuts off and a new conversation was played by Gregory. We let it play but we couldn't quite make it out and ask could we hear the first recording one more time.

I apologized for asking him but we were having trouble hearing it clearly. In addition because he mentioned having it on video as well, Elizabeth asked could we see the video? I rather not disclose this as of now. He continuously referenced his lawyer throughout the meeting he stated that he wanted to speak with his lawyer before showing us and stated he was meeting with his lawyer tomorrow at 4pm. He would ask them first and if they said it was ok then he would let us know. I asked would he follow up either way or he stated he would have no problem.

In addition Gregory added that he left the building on July 21st after the alleged assault –and went to his wife's house and quickly typed up the report. Gregory, stated that Terry did come back up the stairs again and that he looked nervous body language. I asked **did Terry say anything** and he stated no, he mentioned that Terry looked nervous in his eyes.

He mentioned no one was close by, I asked were there any witness he stated no.
Again he said that he would call us after his meeting with his attorney.

I also asked who was a Mrs. Yolanda - as she was mentioned in the complaint and he stated that was his drug counselor at his alternative to incarceration program. He referenced that he meets with her three days a week.

We reminded him that we take these matters very seriously; and we concluded the meeting by letting him know that we would discuss next steps and work on completing a thorough investigation. I also asked him that he not share the details of the conversation with other Doe Fund staff and/or trainees and to keep the information confidential. We reminded him if he could speak with his attorney to get advice on letting us view the video that it would be helpful.

Date: July 26, 2016

At 3:57, I received a phone call from Gregory, he stated that he had failed to mention that after the incident upstairs in his room, that on his way out he stopped in the Dispatch office.

And because he was traumatized, he forgot to mention this to us on the day that he met with us. I thanked him again for providing this information but looked at the time and said I guess we will be speaking later on because your meeting with your attorney is in a bit? Gregory responded yes.

Next Steps

We concluded by thanking him for taking the time yet again and look forward to speaking with him in a little while.

Date: July 28th, 2016

To date we have not yet heard back from Gregory

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